

REMARKS

Claims 1-6 and 14 are pending, with claims 1 and 6 being independent. Claims 7-13 were previously withdrawn.

Claims 1 and 6 are proposed to be amended as described below.

Applicants submit that entry of this Amendment after Final Action is proper under 37 C.F.R. §1.116 because the amendment only complies with the requirements set forth in the final Office Action. Applicants further submit entry of the amendment will place this application in condition for allowance.

Accordingly, Applicants respectfully request the Examiner to enter the amendment and reconsider the application in view of the amendment and remarks herein.

Discussion

Amendment to the claims

Claim 1 is proposed to be amended to recite:

A circuit comprising:

a camouflaged circuit structure having a gate region, including: a substrate; a first active region of a first conductivity type being disposed in said substrate; a second active region of a first conductivity type being disposed in said substrate; and a first well of said first conductivity type being disposed in said substrate under said gate region, said first well being in physical contact with said first active region and said second active region, wherein said first well provides an electrical path between said first and second active regions regardless of any reasonable voltage applied to said circuit;

wherein said first well is generally deeper than said first and second active regions;

the circuit further comprising a circuit structure having:

a second well of the first conductivity type being disposed in said substrate; and third and fourth active regions of a second conductivity type being disposed in said second well ~~in contact with~~ and on opposite sides of a gate region;

wherein said first well and said second well have a same depth and a same doping.”

Support for the amendment to claim 1 can be found at for example Figures 4a-c and the corresponding portion of the specification. In the example of Figures 4a-c, active regions 16b, 18b are disposed on opposite sides of gate region 20b, as recited in claim 1 as amended. No new matter is added.

Claim 6 is proposed to be amended to recite:

A semiconductor circuit comprising: a substrate having a first well of a first conductivity type; a first gate region being arranged above the first well; a plurality of first active regions of said first conductivity type disposed in said substrate, at least two of said plurality of first active regions being separated from one another by, and in physical contact with, said first well of said first conductivity type disposed in said substrate under said gate region; and a plurality of wells of a second conductivity type being partially disposed under said at least two of said plurality of active regions, wherein said plurality of wells of a second conductivity type are separated from said first well; the circuit further comprising:
a second well of the first conductivity type;
a second gate region being arranged above the second well; and a plurality of second active regions of a second conductivity type disposed in said second well, at least two of said plurality of first active regions being separated from one another and ~~in contact with~~ on opposite sides of the second gate region; wherein said first well and said second well have a same depth and a same doping.

Support for the amendment to claim 6 can be found at for example Figures 5a-d and the corresponding portion of the specification. In the example of Figures 5a-d, active regions 16b, 18b are separated from one another and on opposite sides of gate region 20b, as recited in amended claim 6. No new matter is added.

Rejections under 35 U.S.C. §112

Claims 1-6 and 14 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for reciting “in contact with” opposite sides of a gate region.

The proposed amendment to claims 1 and 6 will remove the offending language from claims 1 and 6. The proposed amendment will therefore overcome the indefiniteness rejections

of claim 1 and 6. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejections under 35 U.S.C. §112, second paragraph.

Objections to the drawings

The drawings stand objected to as failing to comply with 37 C.F.R. §1.83(a) for failing to show the features recited in claims 1 and 6. Applicants respectfully submit that the features recited in claims 1 and 6 as amended are shown in the figures as filed, as discussed above. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw this objection.

Rejections under 35 U.S.C. §102 and §103

In view of the rejection under 35 U.S.C. §112, claims 1, 5 and 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,145,701 to Kawagoe; claims 2, 3 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kawagoe in view of U.S. Pat. No. 3,938,620 to Spadea; and claim 6 stands rejected as being unpatentable over U.S. Pat. No. 6,740,942 to Baukus ('942) in view of U.S. Pat. No. 5,973,375 to Baukus ('375). However, the Examiner indicates that claims 1-6 and 14 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. §112, which the Applicants acknowledge with gratitude.

Applicants submit that because the rejections under 35 U.S.C. §112 have been overcome, as discussed above, the rejections under 35 U.S.C. §102 and §103 have been overcome.

Applicants also respectfully submit that neither Kawagoe or Spadea disclose or suggest "wherein said first well provides an electrical path between said first and second active regions regardless of any reasonable voltage applied to said circuit" and "a circuit structure having: a second well of the first conductivity type being disposed in said substrate; and third and fourth active regions of a second conductivity type being disposed in said second well ~~in contact with~~ and on opposite sides of a gate region; wherein said first well and said second well have a same depth and a same doping" as recited in amended claim 1. At least in view of the above

differences, claim 1 as amended is not anticipated by, nor obvious over, Kawagoe and Spadca, whether taken individually or in combination, and is therefore patentable.

Claims 2-5 and 14 depend on claim 1. Applicants respectfully submit that at least in view of their dependency on claim 1, claims 2-5 and 14 are patentable.

Applicants also respectfully submit that neither Baukus ('942) or Baukus ('375) disclose or suggest "a second well of the first conductivity type; a second gate region being arranged above the second well; and a plurality of second active regions of a second conductivity type disposed in said second well, at least two of said plurality of first active regions being separated from one another and ~~in contact with~~ on opposite sides of the second gate region; wherein said first well and said second well have a same depth and a same doping" as recited in amended claim 6. At least in view of the above difference, claim 6 as amended is not anticipated by, or obvious over, Baukus ('942) and Baukus ('375), whether taken individually or in combination, and is therefore patentable.

In view of the above, the Applicants respectfully request the Examiner to reconsider and withdraw the rejections under 35 U.S.C. §102 and §103.

Conclusion

Claims 1 and 6 should be amended as proposed above in order to put this application in better condition for appeal. In addition, the Applicants submit that the application will also be in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Examiner is respectfully invited to telephone the undersigned attorney as needed in order to advance the examination of this application.

* * *

The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the

time period pursuant to 37 C.F.R. §1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

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